



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/789,084

02/27/2004

Robert W. Turner

02-0813

7534

74576

7590

09/29/2008

HUGH P. GORTLER

23 Arrivo Drive

Mission Viejo, CA 92692

EXAMINER

ABDI, AMARA

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

09/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/789,084	Applicant(s) TURNER ET AL.	
	Examiner Amara Abdi	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-42 is/are pending in the application.
- 4a) Of the above claim(s) 1-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/27/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/23/2008 has been entered.

Applicant's response to the last office action, filed August 23rd, 2008 has been entered and made of record.

2. Applicant's arguments with respect to claims 30-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 30-36, and 41-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhao et al. (US 6,973,384).

(1) Regarding claims 30 and 41:

Zhao et al. teach a method and system of providing an information service (col. 2, line 36), comprising:

using a web site to receive a customer request for information (col. 11, lines 33-35) about a specified change at a specific geographical location over a specified period of time (Fig. 21, col. 4, lines 14-16, and col. 23, lines 53-67);

accessing correlated, real-time images of the specified geographical location (col. 7, lines 55-61), (the correlated real-time images is read as any of two images taken at the same location over specific period of time, because they are correlated inherently), the images captured over the specified time period by at least one remote data sensing source (12 in Fig. 1, col. 7, lines 55-57);

processing the correlated images with an algorithm (col. 7, lines 51-54) to extract the information (col. 7, lines 21-22 and lines 55-61) about the specified change at the specified geographical location over the specified time period (col. 4, lines 14-16); and

delivering the extracted information to a customer (col. 24, lines 1-4).

(2) Regarding claim 31:

Zhao et al. teach the method of claim 30, wherein accessing the real-time images (col. 14, lines 42-46), processing the correlated images (col. 7, lines 51-54), and delivering the extracted images (col. 24, lines 1-4) are performed automatically (col. 24, lines 1-2).

(3) Regarding claim 32:

Zhao et al. teach the method of claim 30, wherein the extracted information (col. 7, lines 21-22) is delivered via the internet (col. 17, lines 50-51).

(4) Regarding claim 35:

Zhao et al. teach the method of claim 30, wherein the real-time images are requested from more than one satellite (col. 19, lines 35-37).

(5) Regarding claim 36:

Zhao et al. teach the method of claim 30, wherein the extracted information (col. 7, lines 21-22) is supplemental with the information from non-remote sensing source (col. 7, lines 26-31).

(6) Regarding claim 42:

Zhao et al. teach an information system comprising a server system for providing a network-based interface (col. 17, lines 47-51) that prompts a customer to request information (col. 11, lines 33-35) about a specified change at a specified geographical location over a specified period of time (Fig. 21, col. 4, lines 14-16, and col. 23, lines 53-67); accessing correlated, real-time images of the specified geographical location (col. 7, lines 55-61), (the correlated real-time images is read as any of two images taken at the same location over specific period of time, because they are correlated inherently), the images captured over the specified time period by at least one remote data sensing source (12 in Fig. 1, col. 7, lines 55-57); and processing the correlated images with an algorithm (col. 7, lines 51-54) to extract the information (col. 7, lines 21-22 and lines 55-

Art Unit: 2624

61) about the specified change at the specified geographical location over the specified time period (col. 4, lines 14-16).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 6,973,384) in view of Kenner et al. (US-PGPUB 2002/0143950).

Zhao et al. teach the parental claim 30. However, Zhao et al. do not teach explicitly the method, wherein the algorithm is searched locally, and if not found, is requested from a third party.

Kenner et al. teach the method, wherein the algorithm is searched locally (64 in Fig. 4, paragraph [0025], lines 1-11), and if not found, is requested from a third party (70 in Fig. 4, paragraph [0029]).

It is desirable to have an arrangement which allows software notes posted at a content provider site to be accessed by a content recipient. The Kenner et al. approach, where downloading the software, if the display software is not available is to achieve this goal. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to apply the Kenner et al. teaching, where downloading the

Art Unit: 2624

software, if the display software is not available with the Zhao et al. teaching, because such combination, allows software notes posted at a content provider site to be accessed by a content recipient (paragraph [0001], lines 1-3).

7. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 6,973,384) in view of Gosdin et al. (US 6,995,686).

Zhao et al. teach the parental claim 30. However, Zhao et al. do not teach explicitly the method, wherein the algorithm extracts information about climate at the specified geographical location.

Gosdin et al. teach a method for disseminating weather products, where the algorithm extracts information about climate at the specified geographical location (col. 4, lines 22-43).

It is desirable to deliver certain of the weather products at a refresh rate of six to ten minutes, especially the weather products that include radar imagery data, since this information is very time-perishable. The Gosdin et al. approach of extracting the information about the weather at the specified geographical location is to achieve this goal. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to apply the Gosdin et al. teaching, where extracting information about climate at the specified geographical location with the Zhao et al. system, because such combination delivers certain of the weather products at a refresh rate of six to ten minutes, especially the weather products that include radar imagery data, since this information is very time-perishable (col. 2, lines 64-67).

Art Unit: 2624

8. Claims 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 6,973,384) in view of Beck et al. (US 7,031,927).

Zhao et al. teach the parental claim 30. However, Zhao et al. do not teach explicitly the extracting of information about changes in commodities and agricultural data at the specified geographical location.

Beck et al. teach a system and method for management forecasting, where extracting information about changes in commodities and agricultural data at the specified geographical location (col. 6, lines 5-6), (the terrestrial vegetation is read as the commodities and agricultural data).

It is desirable for using a past and future weather analysis in the process of projecting future reservoir problems to determine, not only one or more solutions for each problem, but also the timely implementation of each solution. The Beck et al. approach of extracting information about changes in commodities and agricultural data at the specified geographical location is to achieve this goal. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to apply the Beck et al. teaching of extracting information about changes in commodities and agricultural data at the specified geographical location with the Zhao et al. system, because such combination will use the past and future weather analysis in the process of projecting future reservoir problems to determine, not only one or more solutions for each problem, but also the timely implementation of each solution. Terrestrial vegetation, as it relates to weather conditions, are indicators of reservoir water conditions (col. 2, lines 46-56).

Art Unit: 2624

9. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 6,973,384) in view of Blumberg et al. (US-PGPUB 2004/0110515).

Zhao et al. teach the parental claim 30. However, Zhao et al. do not teach explicitly the extracting of information about changes in security data at the specified geographical location.

Blumberg et al. teach a system and method for providing information based on geographic position, where extracting of information about changes in security data at the specified geographical location (paragraph [0055], lines 5-6, and paragraph [0083]).

It is desirable for a person to appreciate the full extent of their surrounding and objects or events that are located at some position relative to their surrounding. The Blumberg et al. approach of providing information based on geographic position is to achieve this goal. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to apply the Blumberg et al. teaching of providing information about changes in security data at the specified geographical location with the Zhao et al. system, because such combination make it possible for a person to appreciate the full extent of their surrounding and objects or events that are located at some position relative to their surrounding (paragraph [0016], lines 3-6).

Contact Information:

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571)270-1670. The examiner can normally be reached on Monday through Friday 8:00 Am to 4:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's /supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amara Abdi/
Examiner, Art Unit 2624

/Wenpeng Chen/

Primary Examiner, Art Unit 2624